



JUN 28 2004

PTO/SB/21 (04-04)

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	5	Application Number	10/716,253
		Filing Date	November 17, 2003
		First Named Inventor	Eric Chapoulaud
		Art Unit	2877
		Examiner Name	Not assigned yet

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Customer No. 26379	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Or Individual name	Alan A. Limbach, Reg. No. 39,749 Gray Cary Ware & Freidenrich LLP	
Signature		
Date	June 23, 2004	

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Kathleen LaBrie
Signature	
	Date June 23, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## INFORMATION DISCLOSURE STATEMENT

Applicants:	Eric Chapoulaud
Application No.	10/716,253
Filed:	November 17, 2003
For:	Particle Extraction for Automatic Flow Microscope
Group Art Unit:	2877
Examiner:	Not assigned yet
Attorney Docket No.:	2102402-914991

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

- (a)  accompanies a new patent application submitted herewith.
- (b)  is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR
- (c)  is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR
- (d)  is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (e)  Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (f)  No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed.



The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896.

Date: June 23, 2004

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

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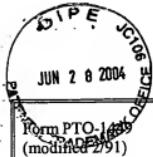
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June 23, 2004

Date

  
Signature



JUN 28 2004

Form PTO-169 <small>(revised 2/91)</small>	<b>U.S. DEPT. OF COMMERCE</b> Patent and Trademark Office	Attorney Docket Number: <b>2102402-914991</b>
<b>INFORMATION DISCLOSURE CITATION</b> <small>(Use several sheets if necessary)</small>		Serial Number: <b>10/716,253</b>
		<b>Applicants:</b> Eric Chapoulaud
		<b>Filing date:</b> November 17, 2003
		<b>Group art unit:</b> 2877

U.S. PATENT DOCUMENTS

Examiner Initial	Patent No. Publication No.	Date	Name	Class	Sub-class	Filing date if appropriate
/A.W./	5,600,761	02/04/97	Ng et al.			
	6,269,194	07/31/01	Nichani			
W	6,272,253	08/07/01	Bannon et al.			

## FOREIGN PATENT DOCUMENTS

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

Examiner:	/Akililu Woldemariam/	Date Considered:	04/13/2007
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			